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EDOC 04/10/2013 10:00 AM

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) No. CR 12-0383-DLJ
14 Plaintiff,) STIPULATION AND []
15 v.) ORDER CONTINUING HEARING DATE
16 DOMINGO SOLARIO) AND EXCLUDING TIME UNDER
17 ALBERTO QUINTERO, and) SPEEDY TRIAL ACT
JORGE QUINTERO,)
18 Defendants.)
19 _____)

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21 The above-captioned defendants and the United States of America, by and through their
22 counsel of record, hereby agree and stipulate to continue the hearing date presently set for April
23 11, 2013 at 10 a.m. to April 18, 2013 at 10 a.m. The parties further agree and stipulate that
24 computation of time under Speedy Trial Act is properly excluded for effective preparation of
25 counsel within the meaning of 18 U.S.C. Section 3161(h)(7)(B)(iv) and pursuant to 18 U.S.C.
3161(h)(D) while the motion is pending.

27
28 DATED: April 4, 2013

MELINDA HAAG
United States Attorney

1 /s/
2 DAMALI TAYLOR
3 Assistant United States Attorney

4 /s/
5 ALFREDO M. MORALES
6 Attorney for defendant Domingo Solorio

7 /s/
8 HUGH A. LEVINE
9 Attorney for defendant Alberto Quintero

10 /s/
11 JAMES M. THOMPSON
12 Attorney for defendant Jorge Quintero

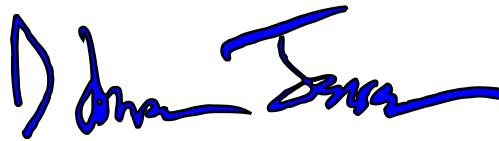
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~~PROPOSED~~ ORDER

1 For the foregoing reasons, the Court HEREBY ORDERS that the discovery motion
2 hearing date presently set for April 11, 2013 in this matter be moved to April 18, 2013, at 10:00
3 a.m. Furthermore, pursuant to Title 18, United States Code, Section 3161(h)(7)(B)(iv), and the
4 stipulation of the parties, the court excludes the period of time from April 11, 2013 through and
5 including April 18, 2013 from the computation of the period of time within which the trial must
6 commence. The court FINDS that time is properly excluded for effective preparation of counsel
7 within the meaning of 18 U.S.C. Section 3161(h)(7)(B)(iv) and pursuant to 18 U.S.C. 3161(h)(D)
8 while the defendant's motion to compel discovery is pending. The ends of justice served by the
9 delay outweigh the best interest of the public and the defendants in a speedy trial.

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11 **IT IS SO ORDERED.**

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13 DATED: 10/09/13



14 D. LOWELL JENSEN
United States District Judge
Northern District of California
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